

Ser. No. 10/031,531
Internal Docket No. RCA 89,642

Customer No. 24498

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Remarks/Arguments

Claims 1-17 are pending.

Claims 1-17 stand rejected.

Claims 1, 5, 10, 12 and 17 have been amended without prejudice.

Claim 16 has been cancelled without prejudice.

New Claims 18-20 have been added.

Claim Rejections

Claims 1-4, 6 and 7 stand rejected under 35 USC 103(a) as being unpatentable over the combination of Knowles (US 2003/0079227) in view of Kim (USP 6,519,412). Claims 5, 8, 9, 12, 13 and 14-17 stand rejected under 35 USC 103(a) as being unpatentable over Kim on view of Knowles. Claims 10 and 11 stand rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Knowles in view of Kim, further in view of Schaffner (USP 6,104,908). For at least the reasons discussed below, reconsideration and removal of these rejections are respectfully requested.

To establish a *prima facie* case of obviousness, all of the recited claim limitations must be taught or suggested in the prior art. *See, MPEP 2143.03; see also, In re. Royka, 490 F.2d 981, 180 USPQ 580 (CCPA 1974).* In the present case, Applicant submits the cited art fails to teach or suggest each of the limitations of any of the pending Claims.

I. Claims 1-4 and 19

Claim 1 recites:

Apparatus for integrating passwords for accessing programming from multiple providers, the apparatus comprising:

a memory storing a first password associated with a first programming provider that delivers programming to the apparatus via a first transmission media;

removable memory storing a second password associated with a second programming provider that delivers programming to the apparatus via a second transmission media distinct from the first transmission media;

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temporary memory temporarily storing said first password during use; and
means for replacing said first password in said temporary storage with said second password to enable said second password to allow access to programming from said first and second programming providers.

The cited art fails to teach or suggest such an apparatus.

The Office action argues that Knowles discloses an apparatus for integrating passwords for accessing programming from multiple programming providers, that take the form of local channel 701 and HBO2 channel 201 in Fig. 3. Applicant traverses this assertion, for at least for those reasons set forth in the Final Office action mailed February 8, 2006 and Applicant's response thereto. Namely, that Knowles does not disclose or suggest passwords for accessing multiple programming providers. As set forth in the Final Office action, while "source" may be a broad term, and *one interpretation* is different channels, *another interpretation* is that a satellite provider and a cable provider are different and independent sources. In other words, while multiple channels may be different sources of programming in a general sense, different channels are not different "programming providers", let alone different "programming providers" when they are provided by a same network operator (e.g., MSO), as is the case in Knowles.

Nonetheless, for purposes of moving the prosecution of the subject application forward, Applicant has amended Claim 1 to recite that the first programming provider provides programming via a first transmission media, while the second programming provider provides programming via a second transmission media distinct from the first transmission media. For purposes of completeness, Applicant notes the amendments to Claim 1 find support throughout the specification, such as on page 2 of the specification, at lines 3-12, where it teaches:

The invention provides a method and apparatus for enabling conditional access to programming that is available from multiple sources of programming. One embodiment of the invention is an integrated terrestrial and satellite television system having a single password set such that a user can enter a single password to activate both satellite and terrestrial television components of the system. The integrated television system comprises both a terrestrial television receiver

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and a satellite television receiver. The terrestrial television receiver utilizes password access (terrestrial passwords) to programming in accordance with the use of a V-chip and the satellite receiver utilizes password access to satellite programming (satellite passwords). (emphasis added).

Further support may be found in the paragraph bridging pages 2 and 3 of the specification, where it teaches, "[t]he integrated television system 100 comprises an integrated receiver 102 for receiving and processing both terrestrial and satellite television signals." Accordingly, no new matter has been added.

Knowles fails to teach or suggest any apparatus that includes a memory storing a first password associated with a first programming provider that delivers programming to the apparatus via a first transmission media; and another memory storing a second password associated with a second programming provider that delivers programming to the apparatus via a second transmission media distinct from the first transmission media. Instead, Knowles merely operates with programming provided by a single network operator, e.g., an MSO. See, e.g., Fig. 3, which refers to a single MSO.

The present Office action argues Knowles teaches receiving programming from different types of transmission media, citing paragraph 53 (that identifies UHF) and paragraph 103 (identifying satellite). See, 8/1/2006 Office action, page 9, lines 3-10. However, a detailed reading of these passages reveals these paragraphs do not teach or suggest applicant's claimed invention. With regard to UHF, paragraph 53 of Knowles teaches a user remote control may use UHF transmissions (*"To view the Grid Guide, an IPG user presses the GUIDE key on the remote control; the command is sent to the infrared or UHF receiver and then the IPG device passes a key to the IPG, which displays the Grid Guide."*). With regard to paragraph 103 of Knowles, it merely relates to the types of information that are the same for all program guides provided on a common set-top box (*"Some of the information provided by the user are specific to the set-top box and the same for all the IPG such as: the user's zip code; TV, cable, and satellite services to which the user subscribes; the length of said subscriptions."*).

Applicant notes Kim is not relied upon in the Office action in these regards — and hence fails to remedy the deficiencies of Knowles. Accordingly, Applicant

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respectfully requests reconsideration and removal of the rejection of Claim 1, as the cited art fails to teach or suggest each of the claim limitations.

Applicant also requests reconsideration and removal of the rejection of Claims 2-4 as well, at least by virtue of these claims' ultimate dependency upon a patentably distinct base Claim 1.

With regard to new Claim 19, Applicant submits it is likewise distinguishable over the cited art, at least by virtue of its dependency from a patentably distinct base Claim 1. Applicant submits new Claim 19 finds support throughout the specification, such as on pages 2 and 3 of the specification, as described above. Accordingly, no new matter has been introduced.

II. Claims 5-11 and 20

Independent Claim 5 recites:

A method for integrating passwords for accessing programming from multiple programming providers in an integrated television system, the method comprising:

processing a first password if the integrated television system receives an access card containing said first password, where said first password enables access to programming delivered by said multiple programming providers to the integrated television system via different transmission media; and

processing a second password if the integrated television system fails to receive the access card, wherein said second password enables access to at least some of the programming delivered to the integrated television system via at least one of the transmission media and precludes access to programming delivered to the integrated television system via at least one other of the transmission media.

The cited art fails to teach or suggest the claimed method.

By way of example, and as described above, the present invention provides a method for enabling conditional access to programming that is available from multiple sources of programming. One embodiment of the invention is an integrated terrestrial and satellite television system having a single password set such that a user can enter a single password to activate both satellite and terrestrial television components of the system. The integrated television system

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comprises both a terrestrial television receiver and a satellite television receiver. The terrestrial television receiver utilizes password access (terrestrial passwords) to programming in accordance with the use of a V-chip and the satellite receiver utilizes password access to satellite programming (satellite passwords).

By way of further example, and as is discussed in connection with Fig. 3 of the subject application, at step 310 routine 300 synchronizes and/or links the satellite passwords 200 to the terrestrial passwords 250. *See, specification, page 6, lines 18-19.* In routine 300, synchronization is performed by writing the satellite passwords over the terrestrial passwords in RAM 116. *See, specification, page 6, lines 19-20.* As such, a user can enter the satellite password to access both the satellite and terrestrial programming. *See, specification, page 6, lines 20-22.* Further, where a smart card is determined not to be inserted at step 304, then at step 306 the routine 300 uses the terrestrial system passwords to permit access to terrestrial programming and preclude access to satellite programming. *See, specification, page 6, lines 1-8.* Accordingly, no new matter has been added by amended Claim 5.

The cited art fails to teach or suggest any such password linking, as is recited by the Claim 5 steps of:

processing a first password if the integrated television system receives an access card containing said first password, where said first password enables access to programming delivered by said multiple programming providers to the integrated television system via different transmission media; and
 processing a second password if the integrated television system fails to receive the access card, wherein said second password enables access to at least some of the programming delivered to the integrated television system via at least one of the transmission media and precludes access to programming delivered to the integrated television system via at least one other of the transmission media.
 (emphasis added).

First, Kim relates to a DVD player, and thus fails to teach or suggest processing any password that enables access to any programming delivered by any programming provider. Further, and as is discussed above, Knowles also fails

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to teach or suggest processing a password that enables access to programming delivered by multiple programming providers via different transmission media.

Further yet, while the Office action alleges that Kim teaches processing a first password when an access card is coupled to the system, and processing a second password if no smart card is coupled to the system, it fails to cite even a single passage of Kim in support. Instead, the Office action refers to paragraphs 104 and 105, which don't appear to occur in Kim.

Regardless, Applicant notes Kim fails to teach such a first and second password processing method. Instead, Kim teaches a method for changing a viewing restriction level in a parental control system in a DVD player. *See, e.g., col. 4, ll. 1-3.* The Kim method includes: (1) setting a mode for changing a previously set viewing restriction level for ratings codes detected from a disc, according to a command for entering into the mode from a first data input means; (2) comparing password data input from a second data input means with preset password data stored in a memory means when the mode for changing the previously allowed viewing restriction level is entered thereby determining whether both password data are the same; and (3) controlling a display means to display a menu for changing the previously set viewing restriction level and the viewing restriction level to be changed by a third data input means on the basis of the displayed menu if both password data are the same. *See, e.g., col. 4, ll. 3-16.* Accordingly, Kim fails to teach or suggest processing a first password when an access card is coupled to the system, and processing a second password if no smart card is coupled to the system.

Accordingly, Applicant respectfully requests reconsideration and removal of the rejection of Claim 5, as the cited art fails to teach or suggest each of the limitations thereof. Applicant also requests reconsideration and removal of the rejection of Claims 6-11 and 20 as well, at least by virtue of these claims' ultimate dependency upon a patentably distinct base Claim 5.

III. Claims 12-15 and 17-19

Independent Claim 12 recites:

A television apparatus, comprising:

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a receiver configurable to receive programming from first and second programming providers via different types of transmission media;
processing circuits, coupled to the receiver, that process television signals received by the receiver and provide output signals;
an access card interface for receiving an access card;
a controller, coupled to the access card interface, that determines whether the access card is coupled to the access card interface; and
a memory for storing a first password associated with the first programming provider, wherein the controller, upon determining that the access card is not coupled to the access card interface, causes the processing circuits to use the first password to access programming from the first programming provider, and upon determining that the access card is coupled to the access card interface, downloads a second password from the access card and causes the processing circuits to use the second password to access programming from both the first and second programming providers.

In similar fashion to Claim 1, independent Claim 12 recites a receiver configurable to receive programming from first and second programming providers via different types of transmission media. Claim 12 further calls for password linking by reciting: wherein the controller, upon determining that the access card is not coupled to the access card interface, causes the processing circuits to use the first password to access programming from the first programming provider, and upon determining that the access card is coupled to the access card interface, downloads a second password from the access card and causes the processing circuits to use the second password to access programming from both the first and second programming providers. The cited references of record fail to teach or suggest these limitations.

Accordingly, Applicant respectfully requests reconsideration and removal of the rejection of Claim 12. Applicant also requests reconsideration and removal of the rejection of Claims 13-15 and 17-19 as well, at least by virtue of these claims' ultimate dependency upon a patentably distinct base Claim 12.

CONCLUSION

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Having fully addressed the Examiner's rejections it is believed that, in view of the preceding amendments and remarks, this application stands in condition for allowance. Accordingly then, reconsideration and allowance are respectfully solicited.

If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the applicants' attorney at (609) 734-6815, so that a mutually convenient date and time for a telephonic interview may be scheduled.

Respectfully submitted,
AARON HAL DINWIDDIE.

By:


Paul P. Kiel
Attorney for Applicants
Registration No. 40,677

THOMSON Licensing Inc.
PO Box 5312
Princeton, NJ 08543-5312

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